

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

UNITED STATES OF AMERICA)	
)	
Plaintiff,)	
)	Cause No. 2:21-CR-98-PPS-JPK (#15)
vs.)	
)	Hon. Joshua P. Kolar
RONNIE ERVIN MAJOR, et al.,)	United States Magistrate Judge
)	
Defendants.)	

**SUPPLEMENT TO MOTION FOR TEMPORARY PRETRIAL
RELEASE/BERNARD SMITH**

NOW COMES the Defendant, Bernard Smith, by his attorney, Allan A. Ackerman, and pursuant to 18 U.S.C. §§ 3142(f), 3142(i), et seq, respectfully moves that this Court enter an order temporarily releasing defendant, pending trial. In support, defendant contends the following:

1. This Court has directed that any supplement to defendant's temporary pretrial release arguments/filings should be filed on or before March 2, 2022.
2. **Mr. Smith and the Gary Police Department:** During Bernard Smith's 2/24/22 temporary release proceedings, the government argued, *inter alia*, that Bernard smith's relationship with the Gary Police Department was a cause of significant concern to [it].
3. Concerning the above, within tendered discovery, an August 15, 2019, (B.S. 00016605-07), there is an ATF report where a confidential informant reports (at ¶s 5-6) that the Sin City Disciples-Outlaw Motorcycle Gang ("SCD-

OMG”) has members or associate members employed by the Gary and other Police Departments.

While there is undoubtably additional discovery describing additional law enforcement officers who are members or associates of SCD-OMG, Bernard Smith’s point is simple: He is hardly useful to the SCD as somebody who gets information from Gary Police because, after all, Gary Police Officers are SCD members. See also B.S. 00016614-15 where another individual is referred to as an SCD member as well as a Lake County Police Officer.

4. **Mr. Smith is hardly a ranking influence with SCD:** Similar discovery (B.S. 00016608) includes important SCD – Gary – chapter information. As of 12/10/18, according to the ATF report, the ranking SCD Officers and officials are set forth at B.S. 16612-14. Importantly, there is no reference whatsoever to Bernard Smith (a/k/a “Preacher”). Also, on 7/22/19, an ATF report based on a reliable “source of information” lists the “current hierarchy of the Gary SCD chapter.” *Id.* at ¶ 6, #16597. Critically, Bernard Smith is noticeably absent in the “hierarchy” listing.

Hence, the government’s continuing reference to Bernard Smith as a high-ranking SCD member is, to say the least, hardly persuasive.

CONCLUSION: The foregoing terse supplement to Bernard Smith's temporary release filings – serves to clarify the lack-of-danger were this Court to grant Bernard Smith temporary release, with conditions that the Court deems appropriate.

Respectfully submitted,

Allan A. Ackerman
Allan A. Ackerman, P.C.
19 S. LaSalle Street
Suite 502
Chicago, IL 60603
Telephone: (312) 332-2891
Facsimile: (312) 750-1595
Email: profaaa@aol.com

/s/ Allan A. Ackerman
Allan A. Ackerman,
Attorney for Bernard Smith

CERTIFICATE OF SERVICE

I certify that on March 2, 2022, service of a true and complete copy of the above and foregoing pleading or paper was served upon each party or attorney of record herein by the electronic case filing system (ECF).

By: /s/ Allan A. Ackerman
Allan A. Ackerman